

CITY OF SOUTH FULTON, GEORGIA
South Fulton Service Center Auditorium, 5600 Stonewall Tell Road
Tuesday, March 20, 2018, 5:00PM



The Honorable William “Bill” Edwards, Mayor (present)
The Honorable Mark Baker, District 7, Mayor Pro Tem (present)
The Honorable Catherine F. Rowell, District 1, Councilmember (present)
The Honorable Carmalitha Gumbs, District 2 Councilmember (present)
The Honorable Helen Z. Willis, District 3 Councilmember (present)
The Honorable Naeema Gilyard, District 4 Councilmember (present)
The Honorable Rosie Jackson, District 5 Councilmember (present)
The Honorable khalid kamau, District 6 Councilmember (present)

WORK SESSION MINUTES

- Call to Order

The meeting was called to order by Mayor Edwards at 5:00pm.
The roll was called by the City Clerk. All members were present.
Therefore, there was a quorum.

Mayor Edwards introduced the new City Manager, Mr. Odie Donald II to the members of the public.

- **PALs Presentation (Gumbs)**

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The City Clerk introduced Ms. Veronica Carew as the presenter of the Police Athletic/Activities Leagues (PALs) presentation, as requested by Councilmember Gumbs.

Ms. Veronica Carew, Trustee for the National Police Athletic/Activities Leagues, Owner/Founder DC Consulting, and Counselor of Taking Our Lives Back began the PALs presentation by giving a detailed background on the origination of the PALs program and its growth and development.

Ms. Carew detailed how the program was introduced to Fulton County and the positive impact it has made on the children served. This included the cost of programming, collaborations with the Fulton County Schools with leadership programs, successful scholarship and summer programs and the programs increase in participation throughout north and south Fulton County over the past few years.

After a question and discussion period with the Mayor and City Council, Ms. Crew ended her presentation by informing the City Council of her willingness to partner with the City of South Fulton with the PALs program and indicated an MOU was included in their packets to proceed with developing the PALs program within the City.

The Council thanked Ms. Carew for making the presentation and indicated they would like additional program information specific to the City of South Fulton.

- Discussion Items
 - i. Ordinance Status Chart (Final) – Emilia Walker, City Attorney

Ms. Walker gave a PowerPoint presentation on what the City of South Fulton's current Code looks like including pending and adopted Ordinances and their status. She also summarized the pending Resolutions presented on the Regular Agenda for the meeting.

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Moving forward, Ms. Walker indicated that Council needs to identify and adopt a system for introducing and approving Ordinances. She recommends Council work together sponsoring ordinances by submitting them to her and she would solicit input from all Councilmembers to originate/finalize an Ordinance by the time it reaches the Agenda.

Ms. Walker also indicated that Council should be aware of the priority areas: zoning, parks and recreation, and the employee manual. The Fulton County Comprehensive Zoning Plan was discussed as it relates to the City of South Fulton and what needs to be changed (deletions/overlays/additions) for the benefit of the City.

- Executive Session (CLOSED), if necessary

A motion was made by Councilmember Willis and seconded by Councilmember Gumbs to recess for a closed Executive Session regarding litigation, real estate and personnel. Hearing no objections, the motion passed unanimously, 7-0-0.

The closed Executive Session began at 6:20pm.

- Adjournment

IN OPEN SESSION:

A motion was made by Councilmember khalid and seconded by Councilmember Rowell to adjourn the Work Session. Hearing no objections, the motion passed unanimously, 7-0-0.

The meeting adjourned at 7:05pm.


Mark Massey, City Clerk



DIVIDER SHEET

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The Honorable Helen Z. Willis, District 3 Councilmember (present)
The Honorable Naeema Gilyard, District 4 Councilmember (present)
The Honorable Rosie Jackson, District 5 Councilmember (present)
The Honorable khalid kamau, District 6 Councilmember (present)

REGULAR MEETING MINUTES

1. Call to Order

The meeting was called to order by Mayor Edwards at 7:05pm.

Mayor Edwards recognized State Representatives Debra Bazemore and Derrick Jackson, and Fulton County Commissioner Marvin Arrington, Jr.

Following the roll call by the City Clerk, all members were present. Therefore, there was a quorum.

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2. Invocation

The Invocation was rendered by Pastor Warren T. Henry.

3. Pledge of Allegiance

The Pledge of Allegiance was recited in unison.

Mayor Edwards introduced the new City Manager, Mr. Odie Donald II to the members of the public. He also thanked the first responders for their assistance to the affected homeowners that had devastation from the storm last evening in Chestnut Ridge subdivision, and especially the Chaplain for opening the doors of the church for those in distress.

4. Approval of the Consent Agenda

- a. Meeting Minutes – Tuesday, February 27, 2018 (Work Session and Regular Meeting)
- b. Meeting Minutes – Friday, March 2, 2018 Special Called (Emergency) Meeting
- c. Meeting Minutes – Monday, March 6, 2018 Special Called (Emergency) Meeting
- d. Proclamations
 - i. Proclamation recognizing Reverend Le'Zaire D. Reese Appreciation Day, Sunday, March 18, 2018 **(Edwards)**
 - ii. Proclamation recognizing Linda Bryant Appreciation Day, Monday, March 19, 2018. **(Rowell)**
- e. Agreements
 - i. Request approval for an Amended Medical Director Agreement

A motion was made by Mayor Pro Tem Baker and seconded by Councilmember Jackson to approve the Consent Agenda. The motion passed unanimously, 7-0-0.

A motion was made by Councilmember Jackson and seconded by Councilmember Gumbs to accept the Proclamations and the Agreement, as presented on the Consent Agenda. The motion passed unanimously, 7-0-0.

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5. Approval of the Regular Meeting Agenda

- **Add Councilmember Willis as sponsor of four (4) items under 8. Business, a. Emergency Items: Ord2018-018, Ord2018-019, Res2018-018 and Res2018-019.**
- **Remove at the request of Mayor Edwards and City Manager, Odie Donald, c. Ordinances, i. the Parks and recreation facility rules and regulations Ordinance (Rowell – Ord2018-007).**
- **Add swearing-in of Interim Police Chief Sheila Y. Rogers (Oath of Office).**
- **Hold/Table until a later date, at the request of Councilmember Willis c. Ordinances, v. Ordinance to amend Ord2018-005 supervision of minors (Willis – Ord2018-014).**
- **Hold/Table until a later date, at the request of Councilmember Gumbs, b. Resolutions, iv. Flexibility in monies earmarked for Council use (Rowell and Gumbs – Res2018-016).**

A motion was made by Councilmember Gumbs and seconded by Mayor Pro Tem Baker to accept the Regular Meeting Agenda as amended. The motion passed unanimously, 7-0-0.

6. Proclamations and Recognitions

PRESENTED

- a. Proclamation recognizing Black Business Month Appreciation Day, Tuesday, March 20, 2018. **(Gumbs)**

PRESENTED

- b. Proclamation recognizing Reverend Dr. Gregory A. Sutton Appreciation Day, Tuesday, March 20, 2018. **(Edwards)**

PRESENTED

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- c. Proclamation recognizing Langston Hughes High School boys basketball team, Tuesday, March 20, 2018. **(Edwards)**

PRESENTED

- d. Proclamation recognizing Westlake High School girls basketball team, Tuesday, March 20, 2018. **(Edwards)**

PRESENTED

- e. Oath of Office
i. Interim Chief of Police

The Oath of Office was administered by Mayor Edwards.

7. Public Comment

- a. Speakers will be granted up to two minutes each and public comment will not exceed 30 minutes. Speakers will not be allowed to yield or donate their time to other speakers.

The following sixteen (16) citizens offered public comments:

- **Mr. Keith Perry** congratulations on the transition of the Fire Department and the Police Department next week. Concerned with the Sanitation Ordinance and cautioned the City against collecting service fees and placing rules and a maximum charge to residents.
- **Mr. Joseph Stalls** concerned with red light at Roosevelt Hwy & South Fulton Pkwy. Conducted a poll that showed a red light was needed because it's dark and dangerous at that intersection. Requests the City of South Fulton to petition the State of Georgia for a red light at that intersection.
- **Mr. Tamahn Jamison** concerned with public opinion with the City of South Fulton and the negative impact it will have for any potential residents.
- **Mr. William Price** supports Ordinance for decriminalizing persons having less than an ounce of marijuana by making it a ticketed offense. This will keep our youth out of prison.

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- **Ms. Linde Pritchett** thank you to Mayor Pro Tem Baker and Councilmember khalid for clearing debris in her area this morning. She also noted that the House of Representatives is trying to change the Charter without notifying the City of South Fulton (she thinks this is wrong).
- **Ms. Carolyn R. Watkins** represents herself and the Friends of South Fulton Tennis Center. They are being denied access to the facility. The Tennis Center needs repairs and a management structure.
- **Ms. Lynette Kamara** President of HOA Pointer Ridge. The HOA at Pointer Ridge thanks and appreciates the Mayor and his team for their support.
- **Ms. Brenda H. Jenkins** thanks to Mayor Pro Tem Baker for the Forum given last night on the Decriminalization of marijuana. She is in support of the Ordinance.
- **Ms. Joyce Armster** invited everyone to Old National Hwy for a Clean-up on March 24th or make-up date on April 7th. She was impressed with the PAL Presentation and would like to see the Program in the City of South Fulton.
- **Ms. Twanda L. Garvin** thanked the Council for letting her speak today. She is an advocate for the legalization of marijuana in the State. This would be a good way to bring in money to the City.
- **Mr. Horace Copridge** expressed that he is opposed to legalization or decriminalization of marijuana.
- **Mr. Marcus Coleman** April 4th is the annual clinic for Save Our Selves (SOS). He brought Dr. Rashad, a specialist in medicinal marijuana. Also, the Ordinance for no trucks, needs parameters. He wants the Mayor to help stop some of the rhetoric being said publicly about the Councilmembers, because it stops outside resources from coming in to help the City.
- **Mrs. Ebone' Griffin** she is the unrepresented face of those who suffer invisible scars that would benefit from the decriminalization of marijuana.
- **Mr. Joseph McCrary** wants to change the marijuana laws and supports expungement of those behind bars for the same.

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- **Mr. Stanley Atkins II** fully supports the decriminalization of marijuana Ordinance. Revenues collected for this Ordinance can be used to repair the tennis courts.
- **Mr. Richard Jones** reported the death of Eric Shaw, teen killed Thursday. We all need to come up with an idea on how to save our young men.

8. Business

a. Emergency Items

- i. **[EMERGENCY]** Ordinance to create Title 4, Law Enforcement, of the City Code of Ordinances, to enhance the safety, protection and general welfare of the City, its citizens and general public and for other lawful purposes. **(Willis - Ord2018-018)**

A motion was made by Councilmember Willis and seconded by Councilmember Gumbs to approve Ord2018-018 as presented. The motion passed unanimously, 7-0-0.

- ii. **[1st READING]** Ordinance to create Title 4, Law Enforcement, of the City Code of Ordinances, to enhance the safety, protection and general welfare of the City, its citizens and general public and for other lawful purposes. **(Willis - Ord2018-019)**

HEARD FOR FIRST READING

- iii. Resolution establishing police policies and procedures, to promote the efficient operation of public safety services and for other lawful purposes. **(Willis - Res2018-018)**

A motion was made by Councilmember Willis and seconded by Councilmember Gumbs to approve Res2018-018 as presented. The motion passed unanimously, 7-0-0.

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- iv. Resolution authorizing an Intergovernmental Agreement (IGA) with Fulton County for access to GCIC inquiries, evidence room and management system. **(Willis - Res2018-019)**

A motion was made by Councilmember Rowell and seconded by Councilmember Gilyard to approve Res2018-019, contingent on no costs being associated. The motion passed unanimously, 7-0-0.

b. Resolutions

- i. Resolution of the City of South Fulton, Georgia executing a Cooperation Agreement between the City and the South Fulton Community Improvement District and to provide an effective date. **(Res2017-061, HELD on October 10, 2017, January 23, 2018, and February 13, 2018)**

A motion was made by Councilmember Gumbs and seconded by Councilmember Gilyard to approve Res2017-061 as presented. The motion passed unanimously, 7-0-0.

- ii. Resolution to approve the installation of a concrete barricade on the right-of-way of Spring Street to block the ingress of The New Life A.M.E. Zion Church. **(Willis - Res2018-012, HELD on February 27, 2018)**

A motion was made by Councilmember Willis and seconded by Councilmember khalid to approve Res2018-012. Councilmember Willis voted yea. Mayor Pro Tem Baker, Councilmembers Rowell, Gumbs, Gilyard, Jackson and khalid voted no. Therefore, the motion failed, 1-6-0.

- iii. Resolution to establish a performance measurement and reporting system for the City of South Fulton and for other lawful purposes. **(Rowell - Res2018-013, HELD on February 27, 2018)**

After discussions, a recommendation was made by the City Manager to hold Res2018-013 until after the City has made the transition in

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November 2018, thereby giving the City an opportunity to establish benchmarks for performance metrics.

A motion was made by Councilmember Willis to table Res2018-013 until after the transition is completed in November 2018. The motion failed due to a lack of a second.

A motion was made by Mayor Pro Tem Baker and seconded by Councilmember Gilyard to table Res2018-013 to April 10, 2018. The motion passed unanimously, 7-0-0.

- iv. ~~Resolution to afford flexibility in monies earmarked for Council use; enhance district outreach and for other lawful purposes. (Rowell and Gumbs – Res2018-016)~~

HELD/TABLED UNTIL A LATER DATE AT THE REQUEST OF COUNCILMEMBER GUMBS.

- v. Resolution of the City of South Fulton consenting to expansion of Fulton Industrial Community Improvement District. (Edwards – Res2018-017)

A motion was made by Councilmember Willis and seconded by Councilmember Gilyard to approve Res2018-017 as presented. The motion passed unanimously, 7-0-0.

c. Ordinances

- i. ~~[2nd READING – REMOVED ON 2/13/2018] Ordinance to amend Title 11 of the City of South Fulton Code of Ordinances, parks and recreation; to establish facility rules and regulations for the City of South Fulton Parks and recreational facilities; and for other purposes. (Rowell – Ord2018-007)~~

REMOVED AT THE REQUEST OF MAYOR EDWARDS AND CITY MANAGER ODIE DONALD.

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- ii. **[2nd READING]** Ordinance to amend the City Code of Ordinances by enacting Title 13, fire prevention and protection, to establish the City Fire & Rescue Department, to adopt a Fire Prevention Code and Safety Standards and for other lawful purposes. **(Ord2018-009)**

A motion was made by Councilmember Gumbs and seconded by Councilmember Gilyard to approve Ord2018-009 subject to the terms indicated by the City Attorney. The motion passed unanimously, 7-0-0.

- Section 13-001 and Section 13-4002 add reference to open burning of any garbage, waste, refuse, rubbish or substance of landscaping of any kind not permitted.
- Councilmember Rowell recommends amending Section 13-4001 (c) add penalties and in Section 13-5003 omit (b).

- iii. **[2nd READING]** Ordinance to amend Title 6, Health and Sanitation, of the City Code, to establish procedures for the collection, disposal, and recycling of solid waste and for other lawful purposes. **(Willis – Ord2018-012)**

A. A motion was made by Councilmember khalid to amend Ord2018-012 and seconded by Councilmember Willis the following:

- Sec. 6-2005, Penalties, to read up to but not exceeding \$1,000.00; Each day a violation of this Ordinance continues may (instead of *shall*) be considered...;
- Sec. 6-2009, Residential Service Providers (b) 4., add Recycling after Residential Recovered Materials.

Councilmember Willis withdrew her second, therefore the motion failed for a lack of a second.

Councilmember khalid indicated his interest to amend his motion regarding Ord2018-012, Sec. 6-2005, to read finest up to but not exceeding \$100.00 per day for each offense and one (1) day in jail.

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B. A motion was made by Councilmember khalid and seconded by Councilmember Gumbs to amend Ord2018-012, by adding recycling after Residential Recovered Materials throughout the document. The motion passed unanimously, 7-0-0.

C. A motion was made by Councilmember khalid and seconded by Mayor Pro Tem Baker to amend Ord2018-012, Sec. 6-2010 by adding a paragraph c) All commercial establishments having food and oil waste must obtain disposal services of such waste of commercial disposal service providers.

Mayor Pro Tem Baker withdrew his second. Councilmember Rowell seconded the motion. Mayor Pro Tem Baker, Councilmembers Rowell, Gumbs, Willis, Jackson and khalid voted yea. Councilmember Gilyard voted no. Therefore, the motion passed, 6-1-0.

Councilmember Gumbs inquired (asked the question) what are the fees for the Tax Assessor and for administration. Councilmember Willis and the City Attorney explained that the \$1.00 fee listed is set by State code/statute and will be paid by the provider and not incurred by the residents.

D. A motion was made by Councilmember Willis and seconded by Councilmember Gumbs to move the previous question (end debate). The motion passed unanimously, 7-0-0.

E. A motion was made by Councilmember Willis and seconded by Councilmember Jackson to approve Ord2018-012, as amended. Mayor Pro Tem Baker, Councilmembers Rowell, Willis, Gilyard and Jackson voted yea. Councilmembers Gumbs and khalid voted no. Therefore, the motion passed, 5-2-0.

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- iv. **[2nd READING]** Ordinance amending Title 15, criminal offenses, Chapter 1, In General, of the City Code to establish a civil violation for the possession of one ounce or less of marijuana, to issue citations for such offense in lieu of effectuating arrest and for other purposes allowed by law. **(Baker – Ord2018-013)**

A motion was made by Mayor Pro Tem Baker and seconded by Councilmember Jackson to approve Ord2018-013. Mayor Pro Tem Baker, Councilmembers Gumbs, Gilyard, Jackson and khalid voted yea. Councilmembers Rowell and Willis voted no. Therefore, the motion passed, 5-2-0.

- v. ~~**[2nd READING]** Ordinance to amend 2018-005 of the City of South Fulton Code of Ordinances, criminal offenses; to establish duties regarding supervision of minors within the City; to provide penalties for failures to supervise minors; and for other purposes. **(Willis and Gilyard – Ord2018-014)**~~

HELD/TABLED UNTIL A LATER DATE AT THE REQUEST OF COUNCILMEMBER WILLIS.

- vi. **[1st READING]** Ordinance to amend Title 8, traffic and vehicles, chapter, in general, of the City Code of Ordinances, to provide for restrictions on overnight parking and other parking regulations and for other lawful purposes. **(Willis and Gilyard – Ord2018-015)**

HEARD FOR FIRST READING – Councilmember Willis requested to add Councilmember Gilyard as co-sponsor.

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- vii. **[1st READING]** Ordinance amending Title 15, Criminal Offenses, Chapter 3, offenses involving property rights, of the City Code of Ordinances; providing for the maintenance of an orderly place; and for other lawful purposes. **(Mayor Edwards and Willis – Ord2018-016)**

Mayor Edwards asked the City Attorney to enhance/define the language in reference to: fines after two (2) calls; and, further explore or define the wording for a loud noise fine.

- viii. **[1st READING]** Ordinance to amend Title 1, Administration, Chapter 9, Contracting Procedures, of the City Code, to authorize the City Manager to sign contracts and make purchases and for other lawful purposes. **(Jackson – Ord2018-017)**

A motion was made by Councilmember Jackson and seconded by Mayor Pro Tem Baker to amend Ord2018-017, Sec.1-9001 Contracting procedures, (c) City Manager authorization: to replace in lieu of with in addition to.

A friendly amendment was made by Councilmember Willis to change the amount to \$50,000.00, and if the amount is over \$25,000.00, the City Manager will give the Council a 24-hour notice. Councilmember Jackson did not accept the friendly amendment.

The original amendment passed unanimously, 7-0-0.

d. Board Appointments

- i. Historic and Cultural Landmarks Commission
 - a. Mr. Storm Mitchell **(Gilyard)**
 - b. Ms. Carmen Howell Ferguson **(Jackson)**

A motion was made by Councilmember Jackson and seconded by Councilmembers Gilyard and khalid to accept the nominations of Mr. Storm Mitchell and Ms. Carmen Howell for the Historic and Cultural Landmarks Commission. The motion passed unanimously, 7-0-0.

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9. ~~Other Reports~~

NONE

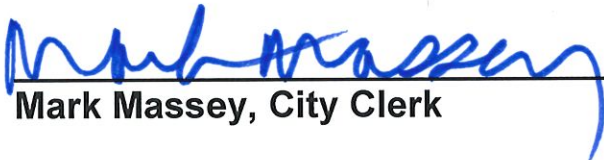
10. ~~Mayor and City Council Comments (Two Minutes Each)~~

NO COMMENTS

11. Adjournment

A motion was made by Councilmember Willis and seconded by Mayor Pro Tem Baker to adjourn. Mayor Pro Tem Baker, Councilmembers Rowell, Gumbs, Gilyard, Jackson and khalid voted yea. Councilmember Willis did not vote. Therefore, the motion passed, 6-0-1.

The meeting adjourned at 11:21pm.



Mark Massey, City Clerk



**OFFICIAL OATH OF OFFICE
STATE OF GEORGIA
CITY OF SOUTH FULTON**


I, Sheila Y. Rogers, do solemnly swear [or affirm] that I will well and truly discharge the duties as Interim Police Chief in all matters which require my official action, to the best of my knowledge and skill, and I will so act as in my judgment will be most conducive to the welfare and best interests of the entire City.

I do further solemnly swear [or affirm] that I am not the holder of any unaccounted for public money due this State; and that I am otherwise qualified to hold said office, according to the Constitution of the United States of America.



Sheila Y. Rogers, Interim Police Chief

Sworn to and subscribed before me
This 20th day of March, 2018



William "Bill" Edwards, Mayor
City of South Fulton, GA

